Sectt. II-27—100,000—21-5-53.

Finance (1948) Department.

MS SERIES.

G.O. No. 1207

Dated 17-12-48

[Despatch Abstract.]

Travelling Allowance - Govt. Servants employed in Pakistan areas who have come to India - Govt. of India's letter recorded.

No.F.3(9)-E.IV/48.
GOVERNMENT OF INDIA.
Ministry of Finance

New Delhi, the 2nd December, 1948.

MEMORANDUM.

Treatment as joining time of the period between the date of making over charge of posts in Western Pakistan and date of assumption of duties under the Government of India by various Government servants who have come to India as a result of partition.

The undersigned is directed to state that the Government of India have had under consideration the question as to how the period between the date of making over charge of their previous posts in Western Pakistan and the date of assumption of duties under the Government of India by the various Government servants who have come to India as a result of partition should be treated where the period exceeds the normal joining time admissible under the rules.

2. The Government servants may be divided into two categories, namely, Central Government servants and Provincial Government servants. The Central Government servants may be further sub-divided into two categories, namely, (a) those who initially opted for Rest of India "Final" and (b) those who initially opted for "Pakistan Provisional" and later changed to Rest of India "Final".

3. It has been decided as follows;--

I. Central Government Servants.

(a) Those who initially opted for Rest of India "Final".

(i) Joining time of permanent Government servants may be extended by the competent authority under Supplementary Rules 301 and 302 provided the spirit of the rules is observed. The spirit of the rules may be considered as having been observed if the Government servant concerned had to remain in the Dominion of Pakistan awaiting evacuation or had to wait for actual posting orders after reporting for in India. Extension of joining time will not be permissible in cases where the Government servant after reaching India decided to visit his home or went elsewhere in search of his relatives or to make arrangements for his family members or fell ill. All such periods from the date of arrival in India should be treated as leave of the kind due and admissible.

(ii) The case of temporary Government servants may also be treated on similar lines.

(b) Cases of those who initially opted for "Pakistan Provisional" but later changed to rest of India "Final" after taking up their duties under the Government of Pakistan should also be dealth with as in (a) (i) or (ii) above as the case may be. If in any case such a Government servant, after reporting for duty could not actually join duty pending verification of his character and antecedents, the interval should be treated as leave with allowances if due and without allowances if not due.

p.t.o.

II. PROVINCIAL GOVERNMENT SERVANTS:

Provincial Government servants of North West Frontier Province Sind and Baluchistan who have come over to India as refugees and have obtained employment under the Central Government through the Transfer Bureau of the Ministry of Home Affairs are treated as purely temporary Government servants. No joining time or joining time pay is admissible to such Government servants but as and when it is decided to make them permanent the question as to how the break in service should be treated will be considered on the merits of each case.

4. Past cases in which joining time has been allowed on a basis different from that prescribed above will not be re-opened.

Sd. x x x x
Deputy Secretary to the Govt.
of India.

To

All Ministers of the Govt. of India (including the Ministry of States); the Cabinet Secretariat; the Prime Minister's Secretariat; the Secretariat of the Development Board, the Partitition Secretariat.

FINANCE (C.S.R.)DEPT.

Sub: Joining time - Government employee in Pakistan areas who have come to India - Govt.of India's letter.

Ref: From the Govt. of India, (Ministry of Finance No. F.3(9)-E.IV/48, dated 2-12-1948.

In the letter cited, the Govt. of India have issued certain instructions as to how the period between the date of making over charge of their previous posts in Western Pakistan and the date of assumption of duties under the Government of India by the various Government servants who have come to India as a result of partition should be treated where the period exceeds the normal joining time admissible under the rules.

So far as this Govt. is concerned, there are not likely to be any cases and they can be dealt with on their merits if they arise. The papers may be recorded after perusal by Public (Service).

Pub.(Ser.);

Fin. U.O.104605 CSR-1
9-12-48.

PUBLIC(SERVICES) DEPT.)

may be perused and returned to the Finance Dept.

Sd.x x 13/12.

Pub.(Ser.A)U.O.No. 4315/48-1
13-12-1948

Finance (C.S.R.)

The papers may now be recorded. Fin.(C.S.R.) Order Mis. 1207, dated 17-12-1948.

Sub: Travelling Allowance, Joining time - Govt.employees in Pakistan areas who have com to India - Govt. of India's letter - Recorded.

Supdt
Record office

p.t.o.

No. F.3(3)-E.IV/50.
GOVERNMENT OF INDIA
MINISTRY OF FINANCE

New Delhi, the 2nd February 1951.

OFFICE MEMORANDUM.

Subject: Treatment of the period intervening between the date of release from Pakistan and date of assumption of duties under the Government of India by the Central Government servants who opted finally for India but were rendered surplus as a result of partition..

The undersigned is directed to state that the Government of India have had under consideration the question as to how the period intervening between the date of release from Pakistan and the date of assumption of duties under the Government of India by a Central Government servant who opted finally for India and came over to the Indian Dominion but was rendered surplus to the requirements of his own Department and had to await posting orders, should be treated. It has now been decided that the intervening period in such a case should be dealt with as under

(a) If he is a permanent Government servant, the period should be regulated under the provisions of para 3 I (a) (i) of this Ministry's Office Memorandum No.F.3.(9)-E.IV/48,dated the 2nd December 1948; and

(b) If he is a temporary Government servant, he will be allowed joining time to the extent admissible under the normal rules on transfer from his old headquarters in Pakistan to his new headquarters in India and the remaining period will be treated as leave of the kind due and admissible and if no leave was admissible or due, as extraordinary leave.

2. In so far as persons serving in the Indian Audit and Accounts Department are concerned, these orders have been issued after consultation with the Comptroller and Auditor General.

Sd. B.L. Batra,
Dy.Secy. to the Govt. of India.

To

All Ministers of the Govt. of India; the Cabinet Secretariat; the Prime Minister's Secretariat; the Secretariat of the Development Board; the Partition Secretariat; the Secretary to the President the Parliament Secretariat; the Election Commission of India; the Planning Commission; the Department of Scientific Research.

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p.t.o.

FINANCE (C.S.R.)

Sub: Treatment of the period intervening between the date of release from Pakistan and date of assumption of duties under the Government of India by the Central Government servants who opted finally for India but were rendered surplus as a result of partition - Government of India's letter.

Ref: From the Government of India, Ministry of Finance, No. F.3(3)-E.IV/50,dated 2-12-1951.

In the referance cited, the Government of India have issued instructions as to how the period intervening between the date of release from Pakistan and the date of assumption of duties under the Government of India by a Central Govt. servant who opted finally for India and came over to the Indian Dominion but was rendered surplus to the requirments of his own department and had to await posting orders, should be treated. In the case of permanent Govt. servants, it has been decided that the period should be regulated under the provisions of paragraph 3-I (a)(i) of the Government of India Ministry of Finance, Office Memorandum No. F.3(9)-E.IV/48 dated 2-12-1948. In the case of temporary Government servants, the procedure indicated in sub-paragraph(b) of panagraph 1 of the Ministry's office memorandum in the c.f. will be followed.

In their office memorandum No.F.3.(9)-E.IV/48, dated 2-12-1948, a copy of which was received in this department also, the Govt. of India have issued instructions as to how the period between the date of making over charge of their previous posts in Western-Pakistan and the date of assumption of duties under the Government of India by the various Govt. servants who have come to India as a result of partition should be treated where the period exceeds the normal joining time admissible under the rules. As it is not likely that there may be such cases of Govt. servants under the control of this Govt. and if at all there is any, it can be dealth with on its merits, no action was taken on the reference from he Govt. of India and the papers were recorded as a G.O. after perusal by the Pub.(Ser.) department. In view of this, the present reference also does not call for any action in this department. It may be lodged and stitched with the original of G.O.No.1207,Finance dated 17-12-1948 after perusal by Pub.(Ser) department.

Sd.x x x 14/2/41

Fin.No.U.O.9728-B/C.S.R./dt.14-2-51. Pub.(Sers.) Dept.

The note of the Finance department on pp1--2 above may be perused and the file returned to that Dept.

Sd. x x x

Pub.(Ser.A)U.O.No.814/51-1/dt.22-2-51. Fin.(C.S.R.)

May be lodged and stitched with G.O. at (K).

Sd. x x 24-2-51.

/True copies/

Superintendent,
Madras Record Office.

PSR. 22-6-53.